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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

\# **CNR No. DLHC010494862026**

\+ ARB.P. 1851/2026

M/S GUPTA JEE TENT SERVICES PRIVATE LIMITED

.....Petitioner

Through: Mr. Neeraj Gupta, Mr. Kamal Gupta, Mr. Saransh Goel and Mr. Divij Garg, Advs.

versus

GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI .....Respondent

Through: None.

CORAM:
HON'BLE MR. JUSTICE OM PRAKASH SHUKLA

JUDGMENT(ORAL)

% 20.11.2026

1. The present petition has been filed under Section 11 of the Arbitration and Conciliation Act, 1996[1] seeking appointment of a Sole Arbitrator.

2. As per the affidavit of service filed by the Petitioner, the Respondent has refused to accept service. Accordingly, service upon the Respondent is deemed sufficient. However, none appears on behalf of the Respondent. The proof of service as reflected from the tracking details is as follows :

[1] "Act" hereinafter

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Signing Date:21.11.2026 11:58:55

Department of Posts
Government of India
Ministry of Communications

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Consignment/MO Tracking Report

Consignment/MO Number: SU002792554IN

Article Number	Article Type	Tariff
SU002792554IN	SP_INLAND_DOC	₹ 34

Booked At	Booked On	Destination
Delhi High Court Extension Counter SO	05/11/2026, 10:19:28	Harsh Vihar SO

Origin Pincode	Destination Pincode
110003	110093

Event	Date	Time	Office	Remarks
Item Booked	05/11/2026	10:19:28	Delhi High Court Extension Counter SO	-
Item bagged	05/11/2026	15:33:41	Delhi High Court Extension Counter SO	-
Item Dispatched	05/11/2026	15:54:06	Delhi High Court Extension Counter SO	-
Bag Received	05/11/2026	21:37:22	New Delhi NSH	-
Item Received	05/11/2026	23:28:50	New Delhi NSH	-
Item bagged	06/11/2026	04:29:04	New Delhi NSH	-
Item Dispatched	06/11/2026	06:19:09	New Delhi NSH	-
Bag Received	06/11/2026	07:55:34	Jhilmil DC	-
Item received at Destination	06/11/2026	08:07:53	Jhilmil DC	-
Taken out for delivery	06/11/2026	09:31:01	Jhilmil DC	-
Item Delivered(Addressee)	06/11/2026	13:38:23	Jhilmil DC	Article Delivered to dc office
Taken out for delivery	07/11/2026	09:05:30	Jhilmil DC	-
Item Returned to Sender	07/11/2026	09:58:42	Jhilmil DC	Refused

Event	Date	Time	Office	Remarks
Bag Received for Forwarding	09/11/2026	19:04:15	MA RMS Bhawan	-
Item Dispatched	09/11/2026	19:13:09	MA RMS Bhawan	-
Bag Received	09/11/2026	21:19:50	New Delhi NSH	-
Item Received	09/11/2026	23:07:24	New Delhi NSH	-
Item bagged	10/11/2026	02:52:01	New Delhi NSH	-
Item Dispatched	10/11/2026	05:17:26	New Delhi NSH	-
Bag Received	10/11/2026	07:45:02	Lodi Road DC	-
Item received at Destination	10/11/2026	07:53:36	Lodi Road DC	-
Taken out for delivery	10/11/2026	09:25:16	Lodi Road DC	-
Item Delivered (Returned to Sender)	10/11/2026	13:31:53	Lodi Road DC	Article Delivered to rg

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Department of Posts
Government of India
Ministry of Communications

Generated through Indiapost website on: 10/11/2026, 13:45:19

Consignment/MO Tracking Report

Consignment/MO Number: SU002792545IN

Article Number	Article Type	Tariff
SU002792545IN	SP_INLAND_DOC	₹ 34

Booked At	Booked On	Destination
Delhi High Court Extension Counter SO	05/11/2026, 10:19:28	Harsh Vihar SO

Origin Pincode	Destination Pincode
110003	110093

Event	Date	Time	Office	Remarks
Item Booked	05/11/2026	10:19:28	Delhi High Court Extension Counter SO	-
Item bagged	05/11/2026	15:33:41	Delhi High Court Extension Counter SO	-
Item Dispatched	05/11/2026	15:54:06	Delhi High Court Extension Counter SO	-
Bag Received	05/11/2026	21:37:22	New Delhi NSH	-
Item Received	05/11/2026	23:38:50	New Delhi NSH	-
Item bagged	06/11/2026	04:29:04	New Delhi NSH	-
Item Dispatched	06/11/2026	06:19:09	New Delhi NSH	-
Bag Received	06/11/2026	07:55:34	Jhilmil DC	-
Item received at Destination	06/11/2026	08:07:53	Jhilmil DC	-
Taken out for delivery	06/11/2026	09:31:01	Jhilmil DC	-
Item Returned to Sender	06/11/2026	14:07:50	Jhilmil DC	Refused
Item bagged	06/11/2026	19:25:48	Jhilmil DC	-
Item Dispatched	06/11/2026	19:29:33	Jhilmil DC	-

Event	Date	Time	Office	Remarks
Bag Received for Forwarding	07/11/2026	20:11:16	MA RMS Bhawan	-
Item Dispatched	07/11/2026	20:17:12	MA RMS Bhawan	-
Bag Received	07/11/2026	23:22:13	New Delhi NSH	-
Item Received	08/11/2026	00:47:10	New Delhi NSH	-
Item bagged	08/11/2026	03:44:50	New Delhi NSH	-
Item Dispatched	08/11/2026	05:09:01	New Delhi NSH	-
Bag Received	09/11/2026	08:14:44	Lodi Road DC	-
Item received at Destination	09/11/2026	08:36:29	Lodi Road DC	-
Taken out for delivery	09/11/2026	09:25:27	Lodi Road DC	-
Item Delivered (Returned to Sender)	09/11/2026	14:24:34	Lodi Road DC	Delivered

3. In these circumstances, this Court deems it appropriate to proceed *ex parte* with the matter concerning the appointment of an Arbitrator.

4. It is well settled that, while exercising jurisdiction under Section 11 of the Act, the scope of enquiry is confined to examining the *prima*

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facie existence of an arbitration agreement[2].

5. In the present case, there is no dispute with regard to a valid arbitration clause between the parties. Therefore, this Court finds no impediment in appointing a Sole Arbitrator.

6. Accordingly, Ms. Lalit Mohini Bhat, Advocate, (Mob. No. 9910155009) is appointed as a learned Sole Arbitrator to adjudicate the disputes arisen between the parties. The learned Sole Arbitrator shall enter upon the reference within three weeks from today

7. The learned Sole Arbitrator will proceed to the arbitration proceedings subject to furnishing requisite disclosures as required under Section 12(2) of the Act within three weeks of entering reference.

8. The arbitration shall be carried under the rules and aegis of Delhi International Arbitration Centre ("DIAC"). The learned Arbitrator shall be entitled to fees as per the Schedule of Fees maintained by the DIAC.

9. It shall be open to the parties to raise all pleas, including objection as to arbitrability and jurisdiction, before the learned Sole Arbitrator who shall decide the same in accordance with law.

10. It is clarified that the observations made herein are only for the

[2] **SBI General Insurance Co. Ltd. v. Krish Spinning 2024 SCC OnLine SC 1754**

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purpose of deciding the present petition under Section 11(6) of the Act. The learned Sole Arbitrator shall adjudicate the disputes independently and on their own merits, uninfluenced by any observations contained in the present order.

11. The Registry is directed to send a receipt of this order to Ms. Lalit Mohini Bhat, learned Arbitrator through all permissible modes including email.

12. Accordingly, the present petition is disposed of in the above terms. Pending application(s), if any, also stand disposed of.

OM PRAKASH SHUKLA, J

NOVEMBER 20, 2026/*gunn*

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